DOCUMENT RESUME

ED 204 760 CS 206 386

AUTHOR Paraschos, Manny
TITLE The Status of Press Law and Press in Post-Junta Greece: 1974-77.
PUB DATE Aug 81
NOTE 28p.: Paper presented at the Annual Meeting of the Association of Education in Journalism (64th, East Lansing, MI, August 8-11, 1981).

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS *Censorship; *Court Litigation; Foreign Countries; *Freedom of Speech; Government Role; History; Journalism; *News Media; *News Reporting; *Press Opinion
IDENTIFIERS *Greece

ABSTRACT

The purpose of this paper is: (1) to present and analyze the most important laws, along with the most prominent court cases, that affected free expression and the press in post-junta Greece (1974-1977), and (2) to describe the media system of Greece for the same period in order to offer a better perspective on the Greek press in those crucial three years following the colonels' regime. Litigation patterns are presented to indicate that most of the legal confrontations involving the press clustered around laws concerning "dissemination of ideas," "insulting the authorities," and "spreading false and alarming news." Prosecution patterns are offered to suggest that government opponents (of the right or left) faced legal action considerably more frequently than did government friends. The media picture is highlighted by the large number of mostly partisan and sensational newspapers, and a progovernment news coverage by the government owned electronic media. The paper includes interviews with Greek newspaper editors who offer comments on the status of their profession. (Author/RL)

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The Status of Press Law and Press in Post-Junta Greece: 1974-77

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Manny Paraschos, Ph.D.
Associate Professor of Journalism
University of Arkansas at Little Rock

Presented to the International Communication Division, AEJ Convention, Michigan State University, August 1981

CS206396

The Status of Press Law and Press in Post-Junta Greece: 1974-77

Introduction

In the fall of 1974, as Greece was beginning to emerge from the traumatic seven-year military dictatorship, it became obvious that her citizens were eager to embrace the civil right they had missed the most: their right to free expression.

An array of new publications joined those that had survived the "April 21 revolution"[1] while many old publications reappeared after a long period of silence; political parties or movements, in forced lethargy or active underground during the dictatorship, re-entered civic life replenished and eager to make up for lost time, and finally, the art of political argument, with all of its accompanying cacophony, was once again welcomed as an integral part of Greek life.

But despite the vigor of these forms of expression, the government that replaced the dictators allowed, in its first three years in office, neither the latitude nor the depth of free expression that was expected in a country where it had been curtailed so long.

Antiquated and contradictory laws (some approved by the dictatorial regimes of Colonel Papadopoulos in the 1960s and General Metaxas in the 1930s) in the hands of overzealous prosecutors; a

government of the old, traditionally conservative Greek Right with a record of insensitivity toward free expression, and a police force still trying to rid itself of pro-junta personnel caused civil libertarians as well as members of the government's legitimate political opposition to cry loudly for more freedom to speak.

What is particularly disturbing is that the main, although not only, targets of strict or unfair law enforcement remained the same in the immediate post-junta period as during the dictatorship: the media and supporters of leftist causes. It is this very selective suppression of information dissemination that seemed in the 1974-77 era to be the main detractor from Greece's renewed dedication to democratic principles.

The purpose of this paper is two-fold: 1. to present and analyze the most important laws that affected free expression and press in post-junta Greece along with the most prominent cases and 2. to describe the media system of Greece for the same period in order to offer a better perspective on the Greek press in those crucial three years following the colonels' regime.

That period of modern Greek history is significant because the country was beginning to rediscover itself as a free nation; all of its institutions, including the press, were reasserting themselves, and the people were beginning to treat with renewed respect rights and responsibilities they had taken for granted a few years earlier. The delicate role played by the press during this rebuilding period and its interaction with other institutions of this fragile democracy are

important because they set the mood for a new chapter in Greek history which is still being written. This paper will attempt to add a new dimension to this chapter by offering fresh data on Greece's press law and media system.

I. Press Law

Most free expression problems tend to involve the press and cluster around three broad legal areas: disseminating ideas, insulting the authorities and spreading false and alarming news.

1. Disseminating Ideas

The 1975 Greek constitution in article 14 protects every citizen's right to "express and disseminate by word of mouth, in writing or through the Press, his ideas obeying the laws of the state."[2] The same article outlaws "censorship and any other form of prior restraint" but allows seizure of the publication under these conditions: 1) if the publication has insulted "the Christian or any other known religion" or "the person of the President of the Republic"; 2) if the publication has revealed national security information or intended to cause the violent overthrow of the political system or (intended) to harm "the nation's territorial integrity" and 3) if it has offended public morality.[3]

Article 14 is complemented by article 5 (which provides for the "free development of the citizen's personality"), article 4 (which provides for the citizens' "equality before the law") and article 25

(which provides for the protection of "human rights of the individual" by the government).[4]

Although the 1975 constitution does guarantee the right to publish and disseminate ideas, an improvement over the 1952 version which guaranteed only the "right to publish,"[5] dissemination was an area of legal as well as physical confrontation in post-junta Greece.

Distributors of non-establishment, or underground publications, mostly of leftist orientation, faced serious difficulties with police and prosecutors from 1974 to 1977. The plethora of small political movements born after the dictatorship contributed to the large number of confrontations between members of the press and the state.

The state's justification is a set of laws, Obligatory Law 582/45, which empowered the undersecretary of Press and Information to oversee the newspaper circulation system, and Legislative Order 2943/54, which set up the newspaper circulation system and defined the requirements for the licensing of newspaper sellers.[6] Although government has the right to set the vendors' profit-per-copy ranges, it does not directly license them but does approve the committee that does. The committee has four members, two appointed by the publishers' union and two by the sellers' union. Licenses are given only to those who intend to make newspaper-selling their full-time job, meet the committee's character criteria and are members of the sellers' union.[7]

Greek press law scholars disagree as to the chilling effect these laws have on the dissemination of publications whose publishers and

distributors do not belong to the appropriate unions and therefore cannot legally be licensed for distribution.

Law professor Nikolas Antonopoulos says that such an "obligatory method of distribution of newspapers and magazines...is against the Constitution."[8] Constitutional law professor Constantine Georgopoulos, however, disagrees. He sees the government's role as the circulation system supervisor not as a general unchecked control, which would have an inhibitive effect, but as a guarantor of "the free circulation of all publications," ensuring "complete equality and the avoidance of all unfair competition."[9]

The Supreme Court was of little help in this instance, with three conflicting decisions in 1977. In one, 342/77, the Court said that newspaper dissemination "does not have a speculative purpose" and therefore is not a license-requiring "profession."[10] In the other, 717/77, the Court said that distribution of newspapers by "just anyone" is forbidden unless the person has a vendor's license.[11] When the Court dealt with the validity of the licensing law, however, in a 13-12 decision, it found the law constitutional.[12]

Armed with these decisions, law enforcement agencies made numerous arrests and have demonstrated their willingness to arrest distributors and confiscate publications that do not conform to the law. It is estimated that in 1974-77 more than 4,000 persons were arrested and tried for such "illegal" dissemination.

The vast majority of those arrested were distributors of the two Athens Communist dailies, Rizospastis and Avgi, and the two Communist student papers of Athens university, Odigitis and Thourio! .

It cannot be viewed as coincidental, therefore, that authorities chose not to prosecute one of the leading pro-government newspapers, Kathimerini, for introducing vending machine sales.

The large number of arrests and trials, however, did not translate proportionately to convictions and imprisonment or fines. Most of these cases are won by the publications on appeal. This was particularly true in the period following the one-vote-majority Supreme Court decision referred to earlier. Because Supreme Court decisions in Greece have no general legal applicability (they can be quoted as precedent but carry no weight of law), the closeness of the decision encouraged many judges, especially on the appellate benches, to show their independence and express their dissatisfaction with the law by finding in favor of the defendants. In the era's most notorious mass arrest for illegal distribution, all 60 university students distributing Communist publications in the fall of 1977 were found not guilty by the Athens Appellate Court later that year.

The Karamanlis government, to "alleviate" the problem, issued Executive Decision 31058/4714, which said that publishers can distribute their publications "with no limitation."[13] In addition, Press Minister Panayotis Labrias said in a Parliamentary exchange that "publication distribution without having to go through distribution agencies" is a legal practice as long as the publication is not "pushed on" bypassers.[14]

Perhaps most ironic is that all of these legal maneuvers took place in the face of a law which aims at protecting the free circulation of publications. "Whoever in whatever manner hinders the distribution or sale of legally published newspapers, magazines or other publications...

is punished with at least three-month imprisonment and a 5,000-10,000 drachmas fine ($125-$250)," the 35-year-old law says. "It is a much more serious violation" if the guilty party happens to be "a member of the military or an organ of public safety...."[15]

It should be noted here that in 1978, 1979 and 1980, the number of prosecutions against "illegal" distributors fell dramatically. Greek press law experts attribute the decline to the feisty reaction of the press of all political colorations against the law and some of its interpretations, the political bruising the government was receiving in Parliament from its opposition and the determination of the distributors to disseminate their ideas at any cost.

2. Insulting the Authorities

Although the three branches of government seemed to be thoroughly confused about the publication dissemination issue, they didn't seem to be so on the issue of "insulting the authorities through the press."[16] The Penal Code, article 181, is quite clear: "Whoever publicly insults public authority, municipal authority, state authority or the Parliament-recognized head of a political party in the Country, is punished with up to three years imprisonment."[17]

Unlike the illegal dissemination cases, prosecutions under this law involved the established press of all political ideologies. Here is a summary of the major cases from 1974-77:

--On March 21, 1976, the publisher of the extreme rightist newspaper Eleftheros Kosmos was found guilty of accusing the police of extreme lenience toward anti-junta demonstrators as they (the demonstrators)

were allowed to detain rightist provacateurs during an anti-junta rally in September 1974. The publisher was sentenced to five months in prison and lost his duty-free newsprint license for one month.[18]

--On June 18, 1976, the editor of the Cretan newspaper Alithia lost his appeal before the Cretan Appellate Court as it upheld the lower court conviction for calling the policemen who roughed up an old lady "small men".[19] His conviction was based partly on article 39 of Obligatory Law 1092, imposed by the 1938 military dictatorship, which forbade "the publication of any evaluation or characterization of litigants" in a current case.[20] The editor was sentenced to an eight-month imprisonment and a three-month revocation of his duty-free newsprint license.

--On June 29, 1976, an Athens Appellate Court upheld the conviction of the editor of the paper Christianiki for publishing a July 1975 article calling "criminal" a Supreme Court decision favoring former junta officers.[21] The same editor had lost a similar case a year earlier when he was convicted for publishing a March 1975 article calling two Appellate Court justices "two-faced".[22] The sentence in the first instance was a 16-month imprisonment and a 45-day revocation of the duty-free newsprint license and in the second, a four-month imprisonment and a one-month license revocation. In both cases, the editor refused to accept an exchange of his sentence for a fine (a legal practice for most press law violations) and insisted on going to jail.[23]

--Finally, in March 1976, the author of the book The Birth of Neofascism in Greece, was found innocent of "insulting the honor of the General Security Corps," which he accused of torturing thousands of anti-junta

Greek citizens during the years of the dictatorship. The court said that the torturers were not the legal authority and therefore did not qualify for the law's protection.[24]

3. False and Alarming News

Another law that was used often in the 1974-77 period dealt with the dissemination of false news: "Whoever disseminates in any manner false news or rumors aiming to bring unrest or fear to the citizens or (aiming) to disturb the public faith or (aiming) to shake public trust in the national currency or the armed forces or (aiming) to disturb the nation's international relations is punished with a minimum three-year imprisonment and a fine." The sentence is doubled if this is not a first offense. The law also says, "Whoever causes the above acts through negligence is punished with a maximum one-year imprisonment or a fine."[25]

The major cases:

--The editor of Eleftheros Kosmos was convicted of falsely alarming the public with "anti-national and slanderous" remarks made in a January 15, 1976, article concerning the post-junta situation in the armed forces. He was sentenced to eight months in prison and a one-month loss of his newsprint license. The son of the editor, an editorial writer for the same newspaper, also was found guilty of "disseminating false news," in a 1974 editorial commenting on the competency of the new ministers. The editor was sentenced to a five-month imprisonment while the paper lost its duty-free privilege for one month.[26]

--The editor of the Communist newspaper Avgi was found guilty of

disseminating false and alarming news in its reportage of a major strike in May 1976.[27] He was sentenced to four months in prison and his paper lost its duty-free newsprint license for two months.

--The editor of Eleftheros Kosmos was found guilty of disseminating false and alarming news contained in an August 1976 article, which claimed that the Russians were secretly gaining the favor of the Greek government. He was sentenced to 18 months in prison.[28]

--Finally, the editor of Alithia was found innocent of reporting false news in an article published in November 1975 which dealt with the American bases in Crete.[29]

4. Confidentiality, Gags, Obscenity, Libel

a. Source confidentiality is not a viable legal concept in today's Greece, but two major cases helped define it better. One involved the 1977 publication, in the monthly political review Anti, of a secret government document. When the editors refused to give the prosecutor the name of their source, Anti was sued under the Espionage Act[30] and the Press Law. The Press Law forbids the publication of "any military information without prior written approval of the appropriate military authority."[31] (The Press Law, in fact, makes it illegal to comment on the readiness or quality of the Armed Forces and specifically requires the article writer to name his or her sources if they are members of the military community!)[32] Anti was found not guilty on all counts.

Source confidentiality received some legal acceptability in the 1976 trial of the author of the book The Birth of Neofascism in Greece. He was acquitted of making false accusations about persons allegedly involved

in torturing many Greek citizens during the seven years of dictatorship. Many prominent politicians and journalists assisted in the defense of the author and the court accepted that his refusal to name his sources "in these particular circumstances was justifiable."[33]

b. Freedom of information has never been a "popular" cause among Greek journalists because there are so many laws protective of government actions and documents that, unless there is an obvious and major scandal involved, any free access campaign is doomed to failure. In addition, the courts have consistently endorsed government positions through gag orders. Two major cases are worth mentioning:

--In April 1976 an Athens military court, citing the 1938 Press Law's article 39,[34] forbade for one month the press from looking into Military Police documents and printing any information about the arrests of officers allegedly involved in a plot to overthrow the government.[35] After the military investigation was over the press simply was given a formal version of the incident.

--A similar gag order based on the same law was issued by an Athens civilian court following the assassination of American embassy official Richard Welch in December 1975. Six major Athens dailies kept reporting on the progress of the investigation and a lower court found them guilty of "inhibiting the work of the preliminary investigation" in March 1976. Two months later, the editors of Kathimerini, To Vima, Akropolis, Ta Nea, Athinaiki and Kiriakatiki Eleftherotypia were found innocent by an appeals court.

In this case, the court found article 39 of O.L. 1092/38 to have only a very narrow constitutional validity. It is constitutional, the

court said, "only when it prevents...the hindrance of the (police) investigation." Any court order "going beyond this purpose," the court continued, "goes against article 14 of the Constitution"[36] (which protects the dissemination of ideas). The newspapers in their defense had argued that their reportage was strictly informational and done only in the pursuit of their duty to keep their readers abreast of the news.

c. In spite of the licentious appearance of movie advertisement pages and the majority of the magazine covers decorating newsstands in post-junta Greece, both society and government are rather conservative in their treatment of sexually oriented media. Obscenity is considered anything which "according to public sentiment insults decency." All obscene materials or their distribution and possession are punishable by law and the crime is especially serious if it is committed by a newspaper or a magazine.[37]

In 1976 the publisher of the book Emmanuella was sentenced to seven months in prison and a 15,000 drachmas fine,[38] and the movie producer of "Lola's Basement" was sentenced to 32 months in prison and 50,000 drachmas fine.[39] A year later, the publisher of the book version of "Deep Throat" was sentenced to a six-month imprisonment.[40]

d. Libel is probably the most popular case against the press, but rarely will a court decision reach the last phases of litigation because most people settle out of court. It is worth noting, however, that the Penal Code, articles 361-372, describes meticulously the various types of libel ("insulting the honor of a person," "slandering the reputation of a person," "simple or malicious insult to the memory of

the dead," and so forth), defines the difference between a public and a private person, and sets punishment. Some characteristics of the law: truth is acceptable as a defense against libel, a newspaper or a magazine found guilty of libel must print the court decision verbatim and if the guilty article made reference to a public servant in the performance of his/her duty, he/she has a right to a full (in content and appearance), court-supervised retraction.[41]

e. Finally, it should be noted that there were many instances when journalists were physically harmed by political opponents of their publications. Most of the confrontations took place during rightist organization meetings from which non-sympathizer journalists were violently expelled by the organizers with the occasional help of the police. The Union of Journalists of Athens Dailies (UJAD) took a strong protest to the press minister in May 1976 but apparently with little success. A few months later about 10 journalists covering the funeral of a well-known pro-junta police officer were beaten by the dead policeman's fans.[42]

In other 1977 incidents, one reporter of the centrist To Vima and one of the leftist Avgi were beaten up by ideological opponents while bombs have gone off in the offices of the Communist papers Avgi and Rizospastis. In all but the policeman's funeral incident no arrests have been made.[43]

II. The Press

1. Print Media

In September 1977 there were 11 national dailies in Greece, all of

them publishing in Athens. Their total average daily circulation was about 715,000 with seven morning papers selling about 210,000 copies and five evening papers sharing the rest.[44]

These figures reflect a moderate trend upward after a serious slump, attributed primarily to television, in 1976. In particular, circulation figures following the fall of the colonels in the summer of 1974 increased by almost 50 per cent to 665,000. In 1975, the euphoria of political pluralism resulted in a total average daily circulation rise to almost one million, but in 1976 the figures dropped to 552,000.[45]

During the dictatorship, circulation figures were, for political reasons, never officially released, but reliable sources obtained these daily averages: for the month of March 1967 (before the coup), 2,806,000; November 1967 (after the coup), 553,000; August 1969, 658,000; January 1971, 363,000; January 1972, 418,000; January 1973, 453,000; July 1974 (before the colonels' fall), 452,000; September 1974 (after the restoration of democratic rule), 665,000.

This is a list of Greece's national papers, their average daily circulation as of September 1977 and their political affiliation: Morning: Akropolis, 70,800, rightist, pro-government; To Vima, 49,300, one of the best Greek papers, centrist, supporter of the anti-government political opposition; Rizospastis, 26,900, organ of the Greek Communist party; Kathimerini, 29,100, another of Greece's best, rightist; Eleftheros Kosmos, 21,300, extreme right, supported the junta; Avgi, 11,800, organ of a branch of the Communist party. Evening: Ta Nea, 182,300, one of Greece's best, left-of-center; Eleftherotypia, 123,500,

left-of-center; Apogevmatini, 119,400, largest of the pro-government papers, stresses apolitical topics; Vradyni, 70,400, rightist, pro-government; Estia, 9,600, extreme rightist.

Almost all of these papers had been publishing for many years with the exception of Kathimerini, Rizospastis and Avgi, which did not publish during the dictatorship. Eleftherotypia was started in the fall of 1976.

The quality of post-junta papers was essentially the same as that of the pre-junta days. Sensationalism in the pursuit of sales and an unorganized, verbose and partisan presentation of the news still were abundantly evident. Serious journalism was practiced primarily by the To Vima-- Ta Nea chain and Kathimerini with Eleftherotypia close behind.

"The seven-year absence of quality journalism hurt us immensely," former Eleftherotypia editor Alekos Filippopoulos said in a 1976 interview with this writer. "Irresponsibility reigns in the newsroom. There is no information verification process and no responsible check on authority," he added.[46]

Similar feelings were echoed by Ta Nea's managing editor Vasilis Nikolopoulos. "Competition makes us do things we wouldn't normally do," he told this writer in 1977. "We don't practice free journalism here. We are dependent, both politically and financially, and that taints our news coverage, no matter how hard we try to keep our objectivity." He added, "I found that my most thorough reporters are the ones I hire away from the leftist papers."[47]

But the press is not all to blame for the current situation, Nikolopoulos said. "Sources, especially government sources, are buttoned up, are afraid to speak and we don't have the resources to pursue an issue for too long," he said.[48]

Financial difficulties also were cited by Kathimerini editor-publisher Helen Vlachos as the major weakness of the Greek press. "Television is absorbing 80 per cent of the advertising money," she said, "and that's immoral." In addition, "morning papers have to worry about distribution problems -- we have to hit the streets by 7 a.m. at the latest but distributors gather up our papers by 9 a.m. because that's when the first editions of the evening papers appear," she said. The future "looks bleak for us on the print side because Greeks don't read anymore," she added. "They watch television!"[49]

The post-junta periodical press seemed to be in better financial condition, but it, too, resorted to various kinds and degrees of sensationalism to ensure high readership, especially since the bulk of its circulation (as is the case with the daily papers) depended on newsstand sales. The very successful news-feature weekly magazine Tahidromos had women in various stages of undress on at least 80 per cent of its covers. It is worth noting that the woman on the cover rarely had anything to do with an inside story!

The most successful weekly magazines were those that featured soap-opera type stories, photo-romances, and cheap novellas, many of them translated from similar foreign language magazines. The best known magazines of this kind and their circulation in the Athens metropolitan area (their main circulation area) were: Romantso, 73,000; Fantazio, 58,000; Domino, 49,000; Venteta, 31,000, and Thisavros, 19,000.[50]

Of the more serious, news-features magazines, the biggest were Gynaika, circulation 71,000; Tahidromos, 44,000 and Epikaira, 31,000. The first appealed primarily to women, with articles about feminine hygiene,

professional women and home-making. The other two offered a variety of news and features along with some entertainment material (gossip columns, comics, puzzles, TV schedules, etc.).[51] It must be noted that these three magazines seemed to absorb most of the print advertising money because about one-quarter to one-third of their space was taken up by advertisements.

The three major political magazines of the 1974-77 era -- Anti, Politika Themata and Ikonomikos Tahidromos -- were lively, informative and serious but had very small circulation figures and advertising revenue.

2. Electronic Media

Greek television and radio, constitutionally entrusted to the government, aim at the "objective and equal dissemination of news and information and literary and artistic works, making every effort to ensure the program quality level that is appropriate for (the program's) social mission and the civic progress of the State."[52] None of the constitutional press provisions applies to either radio or television.

The result is that post-junta Greek television was filled with old American shows ("Bonanza," "Kojak," "I Love Lucy," "Charlie's Angels," and so forth), Eurovision or American network news clips and very little local news. Unfortunately, the overwhelming majority of local news items centered on government activity and presented primarily the government side of events.

Political pressures, stemming from the crude politicizing of news, and a failure to produce worthwhile programming resulted in very frequent

changes in top management. "In the last eight years, there have been about 15 directors of Hellenic Radio Television," Fotis Mestheneos, former general manager of Greek television, told this writer in 1977.[53]

But lack of money could not be used as an excuse for the poor quality of most aspects of Greek television. The colonels spent millions of dollars to build a three-story all-marble building in an Athenean suburb and equip it with the most modern electronic equipment. It made little difference. "Almost half of our sophisticated equipment is sitting in boxes unused," Mestheneos said, "because we don't have the trained personnel to use it and our technicians do not have the time to go abroad and learn how to use it."[54]

So mediocrity continued to reign over the airwaves, especially since there was no financial incentive for television workers to improve themselves. They were making almost as much as their newspaper colleagues were making for half the work, according to Mestheneos, who had been a BBC executive before he was invited by the new Greek government in 1976 to take charge of Greek television.

Generous salary ranges, aimed primarily at drawing newsmen from the newspapers and the magazines, liberal overtime contractual provisions and general ignorance of the medium resulted in a huge financial mismanagement scandal uncovered in the fall of 1979. A report by two independent government consultants revealed that Greek television was in the red by $17.5 million![55]

The pro-government attitude of the news presentation and the general low quality of local programming have caused a sharp decrease in the number of television viewers. A poll taken by the weekly

Tahidromos revealed that the number of television owners who do not watch television "at all" went from 11 per cent in 1976 to 25 per cent in 1979. The least watched program was the news, which attracted 3 per cent of the audience at 7 p.m. and 4 per cent at 11 p.m.[56] The same poll revealed that after a drop in attendance in 1977 and 1978, movies and theaters in 1979 experienced a sharp increase in popularity in spite of a 20 per cent increase in ticket prices.

How does this precarious situation of the Greek press affect the status of the profession there? The answer cannot be a simple one.

Financially, the majority of Greek journalists in Greece during the 1974-77 period were not earning enough to devote their full energies to a single job. Most of them had an outside job or two, which meant lower work quality and eventually loss of professional independence. In fact, the profession's ultimate prostitution might have been that some newsmen "moonlighted" in government or business, which they had to cover for their papers!

Obviously, not all journalists held their work in such low esteem. Many of them did produce good work and were dedicated to their careers. Most of these seemed to be members of the Union of Journalists of Athens Dailies whose bargaining power has yielded positive results not only for its members but for the professions in general. Union records show that its members' salaries increased 23-72 per cent from 1974 to 1975 when salaries ranged from $138 to $375 per month. The Union obtained a 15-25 per cent increase over these salaries in 1976 and similar increases in 1977 and 1978. The average member's salary in 1976 was about $450 per month and in 1979 about $615 per month, according to Union General Secretary George Kallistros.[57]

But the monetary dimension is not an adequate measure of the profession's image. Because of the poor overall quality of the newspapers and the chaotic and politicized condition of radio and television, Greek journalists enjoy a comparatively low reputation among professionals.

To improve the situation, the idea of creating a journalism school has often been mentioned. The first official discussions on the subject began in 1924 but the first actual proposal did not come until the colonels' regime in 1967.[58] The provisions of the bill met with general disapproval of the journalistic community and the legislation was never implemented.[59] During the immediate post-junta years, the subject was discussed by the UJAD membership but no official action was taken until 1979.[60]

UJAD President George Anastasopoulos said he hoped to have established the school's legal framework before he left office, but his word alone may not suffice.[61] The matter remains unresolved.

Conclusion

The evidence presented in this study shows that in the first three years following the colonels' regime, Greece had a dynamic press system as well as a lively debate on the legal parameters of free expression. Perhaps there can be no better verification that a democracy is working than its components' continuous competition for advantage.

Beyond the vigor of the participants, however, there was little in the larger mass communication picture that would be interpreted as positive. The challenges presented by the new professional realities, the advances of technology and the changed political situation seemed

not to have been met. The personal and partisan type of newspaper journalism and the haphazard, often incompetent and one-sided operation of television only contributed to the slow progress of the profession. Furthermore, financial difficulties exaggerated the media's problems so journalism in post-junta Greece found itself in almost the same state in which it was seven years earlier. By and large, the print media continued to be sensational, patronizing and typographically obtrusive while the electronic media continued to be outlets of government information and foreign programs.

On the legal front, in the 1974-77 period it became evident that some institutions of the newly re-established democracy seemed to have a perpetual monopoly on the use of the tools of power while others were destined (or, by selective law enforcement, coerced) to be the perennial underdogs. Especially in the dissemination of information cases, the government showed no sensitivity to those fighting for the free expression of all ideologies. The government's opponents were being hauled to courts throughout the country with alarming regularity. It was an encouraging sign, however, that some post-junta courts exhibited a certain degree of independence and appreciation of free expression and press and found, at least on the appellate level, against the prosecutors.

The pattern set in those early post-junta years has held true until today. Although the information dissemination statutes were changed in 1979 to reflect a more tolerant attitude on the part of the state, no other law affecting mass media has been changed. If a new government is elected in Greece, future scholars might be

interested in investigating the law enforcement pattern of the new regime -- would, in other words, today's plaintiffs change their attitudes once their political ideologues take over and attempt to muzzle undesirable political voices?

Finally, the paradigm of Greece seems to offer at least two tangible lessons to theoriticians of developing countries' press systems: 1. autocratic regimes, no matter how well-intentioned, do inhibit the progress of the mass communications processes of the country -- not only by controlling the number and type of news disseminators, but also by manipulating the news verification avenues and creating an artificial media-news sources relationship which results in the profession's serious disorientation and 2. post-autocracy periods would most likely be filled with dynamic mass communicators whose exhuberance may be so contagious that the government might be at a loss to deal with it without appearing repressive -- the likely result might be some form of selective prosecution of government opponents primarily for its chilling rather than its punitive effects.

Time will tell if these lessons were learned by Greece or other similarly developing nations in their pursuit of a more stable political base and a healthier press system, both of which require an abundance of freedom with which to grow.

FOOTNOTES

[1]The official slogan of the military government which ruled Greece from April 21, 1967 to July 24, 1974.

[2]Greek Constitution, article 14 (1975).

[3]Ibid.

[4]Ibid., articles 4, 5, 25.

[5]Greek Constitution, article 14, (1952).

[6]Obligatory Law 582/45, article 4, section 3.

[7]Legislative Order 2943/54, article 3.

[8]Nikolas Antonopoulos, Freedom of the Press in Greece (Athens, 1965), p. 111.

[9]Constantine Georgopoulos, Freedom of Circulation and Distribution of Publications (Athens, 1963), p. 17.

[10]Supreme Court 342/77.

[11]Supreme Court 717/77.

[12]Supreme Court 838/77.

[13]Executive Decision, Ministry to the Prime Minister, Secretariat of the Press, 31058/4714 (10/10/76).

[14]"Council of Europe Principles to be Embodied in Greek Press Law," Kathimerini, June 12, 1976.

[15]Obligatory Law 265/45.

[16]Penal Code, article 181, paragraph 1 as amended by L.O. 2493/53, article 4.

[17]Ibid.

[18]"Five Months to Konstantopoulos by the Appellate Court," Kathimerini, March 22, 1976.

[19]"Parliament Member Asks for Amnesty for Two Journalists," Kathimerini, June 19, 1976.

[20]Obligatory Law 1092/38, article 39, paragraph 1.

[21]"Therapos Innocent, Psaroudakis Convicted," Kathimerini, June 30, 1976.

[22]"Trial of Christianiki," Eleftherotypia (June 1976), p. 65.

[23]Ibid.

[24]"Two Memorable Decisions," Eleftherotypia (June 1976), p. 66.

[25]Penal Code 191 as amended by L.O. 2493/53, article 5.

[26]"Father and Son Konstantopoulos Convicted," Eleftherotypia (June 1976), p. 64.

[27]"Vindication and Conviction of Avgi," Eleftherotypia (June 1976), p. 66.

[28]"18-Month Imprisonment to the Editor of Eleftheros Kosmos," National Herald, December 9, 1979.

[29]"Vindication and Conviction of Avgi," op. cit.

[30]Obligatory Law 375/36.

[31]Obligatory Law 1092/38, articles 42-44.

[32]Ibid.

[33]"Court Decision Establishes Journalist's Privilege," Kathimerini, April 14, 1976.

[34]Obligatory Law 1092/38, article 39.

[35]"Military Police Documents Off Limits," Kathimerini, April 24, 1976.

[36]"Papers Found Innocent on Welch Reporting," Kathimerini, May 19, 1976.

[37]Legislative Order 5060/31, articles 29, 30..

[38]"7-Month Imprisonment for 'Emmanuela'," Kathimerini, March 22, 1976.

[39]"Three Convicted for 'Lola's Basement'," Kathimerini, June 30, 1976.

[40]"6-Month Imprisonment for 'Deep Throat'," National Herald, January 12, 1977.

[41]Penal Code 361-372 and Obligatory Law 1092/38, articles 37, 38.

[42]"ESIEA on Violence Against Journalists," Kathimerini, May 26, 1976.

[43]"Journalists Union: They Don't Scare Us," National Herald, June 11, 1977.

[44]"Average Newspaper Circulations in Sept. 1977," Tahidromos (November 1977), p.20. (Figures rounded.)

[45]Athens Newspaper Distribution Agency. (Figures rounded.)

[46]Interviews with Alekos Filippopoulos, Athens, August 6, 1976 and July 2, 1979.

[47]Interview with Vasilis Nikolopoulos, Athens, July 12, 1977.

[48]Ibid.

[49]Interview with Helen Vlachos, Athens, August 13, 1976.

[50]"'E' Always First," Kiriakatiki Eleftherotypia, June 25, 1978.

[51]Ibid.

[52]Greek Constitution, article 15, (1975).

[53]Interview with Fotis Mestheneos, Athens, July 30, 1977.

[54]Ibid.

[55]Athina Glynou, "How They Threw Away 700 Million," Tahidromos (November 7, 1979), pp. 12-14.

[56]"Vertical Drop of TV Audience," Tahidromos (October 21, 1979), pp. 12, 13.

[57]Author's review of UJAD's records during visits on August 8, 1976; July 13, 1977 and June 15, 1979. Interview with George Kallistros, Athens, August 8, 1976.

[58]"The School Ghost," Eleftherotypia (December 1974), pp. 68-76.

[59]Obligatory Law 248/67.

[60]"Journalism School," Bulletin for UJAD Members (June-August 1979), pp. 19-50.

[61]Interview with George Anastasopoulos, Athens, June 16, 1979.

[62]Emmanuel Paraschos, "Numerous Obstacles Hinder Formal Training in Greece," Journalism Educator (January 1979), pp. 114, 115.